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FILED

SEP 22 1998

LARRY W. PROPPES, CLERK
COLUMBIA, S. C.

ENTERED

9/22/98

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

BERRY, DUNBAR, O'CONNOR & JORDAN,

Plaintiff,

v.

JAMES O. BAKKER, TAMMY FAYE BAKKER MESSNER,
HAROLD J. BENDER, GEORGE T. DAVIS, UNITED
STATES OF AMERICA by and through its agency THE
INTERNAL REVENUE SERVICE, DAVID R. HILLER as
Bankruptcy Trustee for JAMES H. TOMS, and P.
WAYNE SIGMON as Bankruptcy Trustee for JAMES H.
TOMS & ASSOCIATES, P.A.,

Defendants.

No. 3 98-1202 19

STIPULATION AND [PROPOSED] ORDER

Stipulation

IT IS HEREBY STIPULATED AND AGREED, by and among Defendant GEORGE T. DAVIS, Plaintiff
BERRY, DUNBAR, O'CONNOR & JORDAN, and Defendant-Cross-Claimant P. WAYNE SIGMON, as follows:

1. Defendant DAVIS hereby irrevocably disclaims any ownership interest in that certain
escrow fund managed by Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN that is the subject of the
Complaint of Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN (the "Complaint") and the Cross-Claim
of Defendant-Cross-Claimant P. WAYNE SIGMON (the "Cross-Claim").

2. Defendant DAVIS hereby consents to entry of a declaratory judgment or other relief in
this Court providing that he has no ownership interest in that escrow fund.

3. Defendant DAVIS, in light of this stipulation, need not file an answer or other responsive pleading to the Complaint or the Cross-Claim.

4. Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN and Defendant-Cross-Claimant P. WAYNE SIGMON hereby agree to dismiss Defendant DAVIS from this action with prejudice.

5. Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN, Defendant-Cross-Claimant P. WAYNE SIGMON, and Defendant DAVIS agree to bear their own attorneys' fees and costs associated with this Stipulation and Proposed Order, without impairment of any claim by Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN or Defendant-Cross-Claimant P. WAYNE SIGMON for recovery of any such attorneys' fees and costs from the escrow fund.

Dated: July __, 1998


BERRY, ADAMS, QUACKENBUSH & STUART, P.A.



Hardwick Stuart, Jr.
William K. Witherspoon
Attorneys for Plaintiff BERRY, DUNBAR, O'CONNOR & JORDAN

Dated: July __, 1998

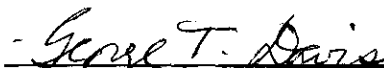
GRAY, LAYTON, KERSH, SOLOMON, SIGMON, FURR & SMITH, P.A.



Theodore J. Solomon, II
Attorneys for Defendant-Cross-Claimant P. WAYNE SIGMON, Bankruptcy Trustee for JAMES H. TOMS & ASSOCIATES, P.A.

Dated: July 13, 1998

GEORGE T. DAVIS



George T. Davis
Defendant in Propria Persona

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Order

Pursuant to stipulation, IT IS SO ORDERED.

Dated: July ~~1998~~

September 22, 1998
Columbia, South Carolina

Jennise W. Shedd

By: _____

UNITED STATES DISTRICT JUDGE

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

CERTIFICATE OF SERVICE

This is to certify that I, Hardwick Stuart, Jr., Attorney for the Plaintiff, am this day serving upon all counsel of record the foregoing **STIPULATION AND [PROPOSED] ORDER** in the foregoing matter by placing a copy of same in the United States Mail, postage pre-paid, in an envelope addressed as follows:

**ROBERT WELSH, ESQUIRE
POST OFFICE BOX 14198
BEN FRANKLIN STATION
WASHINGTON, DC 20044**

**JOHN DOUGLAS BARNETT, ESQUIRE
1441 MAIN STREET, SUITE 500
COLUMBIA, SOUTH CAROLINA 29201**

**T.J. SOLOMON, II, ESQUIRE
POST OFFICE BOX 859
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**GEORGE T. DAVIS
POST OFFICE BOX 2411
MAUNA LANI TERRACE
KAMUELA, HAWAII**

**DAVID R. HILLER
POST OFFICE BOX 7115
ASHEVILLE, NORTH CAROLINA 28802**

**J. MICHELLE CHILDS, ESQUIRE
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COLUMBIA, SOUTH CAROLINA 29202**

**V. LAMAR GUDGER, III, ESQUIRE
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HARDWICK STUART, JR.

Columbia, South Carolina

September 8, 1998